

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 5365
Club for Growth, Inc.; Club for Growth,)
Inc. PAC; Pat Toomey, in his official)
capacity as Treasurer)

CERTIFICATION

I, Darlene Harris, recording secretary for the Federal Election Commission
executive session on July 19, 2005, do hereby certify that the Commission decided
by a vote of 6-0 to take the following actions in MUR 5365:

1. Find probable cause to believe that Club for Growth, Inc. violated 2 U.S.C. §§ 433 and 434 by failing to register as a political committee with the Commission and report its contributions and expenditures.
2. Find probable cause to believe that Club for Growth, Inc. violated 2 U.S.C. § 441a(f) by knowingly accepting contributions in excess of \$5,000 and 2 U.S.C. § 441b(a) by knowingly accepting corporate contributions.
3. In the alternative to recommendations 1 and 2, find probable cause to believe that Club for Growth, Inc. violated 2 U.S.C. § 441b and 11 CFR § 114.2(a) by making prohibited corporate expenditures.
4. Take no further action and close the file as to Club for Growth, Inc. PAC and Pat Toomey, in his official capacity as Treasurer.
- 5.
6. Approve contingent suit authority.

Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub
voted affirmatively for the decision.

July 20, 2005
Date

Attest:
Darlene Harris
Darlene Harris
Deputy Secretary of the Commission

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